

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated May 12, 2004, are respectfully requested. In this Office Action, claims 47-49 were allowed, and claims 1-25 and claims 50-54 were rejected.

I. Telephonic Interview

Applicant and applicant's representatives wish to thank the Examiner for her time during the August 11, 2004 telephonic interview in which the Examiner and the applicant's representatives discussed the effectiveness of the Declaration filed on February 27, 2004, and claims 1, 4, and 47. In an attempt to expedite the issuance of a patent, applicant does not argue the effectiveness of the Declaration in this Response. However, applicant reserves the right to do so in the future with respect to this application or any continuing applications thereof.

With respect to the claims, the Examiner and applicant's representatives discussed ways in which claim 1 could be amended to include the allowable subject matter of claim 47, and agreed that applicant could submit a proposed amendment for consideration by the Examiner.

If Examiner Wong believes that any additional information regarding the interview is necessary, please let the undersigned attorney know.

II. Amendments to the Claims

Claim 1 has been amended to simply include allowable subject matter of claim 47, including that the first item of economic data is "based on a first sample size" and that an "indication of the first sample size" is included in the display description that includes the first item. As with claim 47, claim 1 has also been amended to recite "updating the first sample size to be a second sample size greater than the first sample size." In addition, claim 1 has been amended to recite checking the second item of economic data for "validity or acceptability," which may include checking for format of the second data as well as any other types of validity or acceptability checks. The element relating to reducing a fee due from the user for receiving the first item of economic data has been deleted.

Claims 4-13, 23-25, and claim 50 have been canceled. Claims 26-46 were previously canceled.

Claim 14, a computer-readable medium claim, has been amended so that it parallels claim 1, as presently amended, and thus now includes allowable subject matter.

Claims 15 and 18, which depend from claim 14, have been amended for consistency with claim 14, as presently amended. No new matter has been added.

Claim 47 has been amended to correct an inadvertent error and address the Examiner's objection (addressed in further detail below). The element reciting "updating the sample size to be a second sample size greater than the first sample size" has been amended to recite that the updated sample size is the "first" sample size.

Dependent claims 51-56, which previously depended from now canceled claim 50, have been amended so that they now depend from, and are consistent with, allowed claim 47.

New claims 57 and 58 have been added. These claims are both means plus function claims that parallel claim 1, as presently amended, and allowed claim 47, respectively.

III. Claim Objection


The Examiner objected to claim 47 based on an informality. The portion of the claim at issue recites: "indicating over the Internet that the sample size on which the second output data is based is the second sample size." Applicant believes that claim 47 is clear as it is written (e.g., that the sample size (on which the second output data is based) is the second sample size), but would accept an Examiner's Amendment if the Examiner disagrees. In addition, applicant has amended claim 47 to recite that the sample size that is updated is the "first" sample size.

IV. Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

Because the previously rejected claims have been amended to include the allowable subject matter of allowed claim 47, all the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the prior art, including U.S. Published Patent Application No. 2001/0032097 A1 to Levey and U.S. Published Patent Application No. 2002/0002479 A1 to Almog. A Notice of Allowance is, therefore, respectfully requested. If Examiner Wong has any questions or believes a telephone conference would expedite prosecution of this application, she is encouraged to call the undersigned at (206) 359-3925.

Respectfully submitted,
Perkins Coie LLP

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Michelle C. Sarruf
Registration No. 55,828

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000